



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,114	03/14/2001	Kenji Yamanishi	Q63084	1503

7590 09/25/2003  
SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037

EXAMINER

HIRL, JOSEPH P

ART UNIT	PAPER NUMBER
----------	--------------

2121

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/805,114

Applicant(s)

YAMANISHI ET AL.

Examiner

Joseph P. Hirl

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 13 is/are rejected.
- 7) ☒ Claim(s) 7-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. Claims 1-13 are pending in this application.

2. The claims and only the claims form the metes and bounds of the invention.

"Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP page 2100-8, col 2 lines 45-48; page 2100-9, col 1, lines 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

3. It is the Examiner's opinion that a major portion of the applicant's invention as identified in the more general claims is embedded in the prior art of Segawa as noted below.

### ***Claim Objections***

4. Claims 7-12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Segawa ( U. S. Publication 2002/0032037, referred to as **Segawa**).

**Claim 1**

Segawa anticipates means for inputting a questionnaire statement including free reply description in natural language (**Segawa**, para 12); a network for transmitting a questionnaire reply statement (**Segawa**, Fig. 1), a database for accumulating said questionnaire reply statements transmitted through said network (**Segawa**, Fig. 11); and a text classification engine for reading out said questionnaire reply statements from said database and for learning a rule for classifying said questionnaire reply statement (**Segawa**, paras 36 and 37).

**Claim 2**

Segawa anticipates means for inputting a questionnaire statement including free

Art Unit: 2121

reply description in natural language (**Segawa**, para 12); a database for accumulating said questionnaire reply statement (**Segawa**, Fig. 11); and a text classification engine for reading out said questionnaire reply statement from said database and for learning a rule for classifying said questionnaire reply statement (**Segawa**, paras 36 and 37).

### **Claim 3**

Segawa anticipates means for inputting a questionnaire statement including free reply description in natural language (**Segawa**, para 12); a network for transmitting said questionnaire reply statement (**Segawa**, Fig. 1); a database for accumulating said questionnaire reply statement transmitted through said network (**Segawa**, Fig. 11); a text classification engine for reading out said questionnaire reply statement from said database and for learning a rule for classifying said questionnaire reply statement (**Segawa**, paras 36 and 37); and means for distributing said rule through said network according to a request from a claimant (**Segawa**, para 36).

### **Claims 4, 5, 6**

Segawa anticipates morpheme analysis means for analyzing morphemes in all sentences in said questionnaire reply statement accumulated in said database (**Segawa**, para 37); category-text designating means for designating said category and text (**Segawa**, paras 36 and 37; EN, keywords identify category associated with text); attribute selecting means for selecting attributes in plural questionnaire reply statements being read out from said database (**Segawa**, paras 36 and 37; EN, orientation and needs are attributes); rule learning means for learning said rule for expressing said correspondence of text and category on the basis of said words selected by attributes

by said attribute selecting means (**Segawa**, paras 36 and 37); and rule output means for issuing said rule learned by said rule learning means (**Segawa**, para 36; EN, means for sending information to the user is the rule output means).

### **Claim 13**

Segawa anticipates a morpheme analysis procedure for analyzing morphemes in all sentences in said questionnaire reply statements accumulated in a database (**Segawa**, para 37); a category-text designating procedure for designating said category and text in said text classification engine (**Segawa**, paras 36 and 37; EN, keywords identify category associated with text); an attribute selecting procedure for selecting attributes in plural questionnaire reply statements being read out from said database (**Segawa**, paras 36 and 37; EN, orientation and needs are attributes); a rule learning means for learning said rule for expressing said correspondence of text and category on said basis of said words selected by attributes by said attribute selecting procedure (**Segawa**, paras 36 and 37); and a rule output procedure for issuing said rule learned by said rule learning procedure (**Segawa**, para 36; EN, means for sending information to the user is the rule output means).

### **Conclusion**

7. Claims 7-12 are objected to. Claims 1-6 and 13 are rejected.
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chase U. S. Patent 6,332,143

Ho et al U. S. Patent 6,498,921

***Correspondence Information***

9. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner, Joseph P. Hirl, whose telephone number is (703) 305-1668. The Examiner can be reached on Monday – Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Anil Khatri can be reached at (703) 305-0282.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,  
Washington, D. C. 20231;

or faxed to:

(703) 746-7239 (for formal communications intended for entry);

or faxed to:

(703) 746-7290 (for informal or draft communications with notation of "Proposed" or "Draft" for the desk of the Examiner).

Hand-delivered responses should be brought to:

Receptionist, Crystal Park II

Application/Control Number: 09/805,114

Page 7

Art Unit: 2121

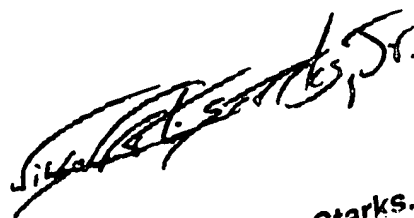
2121 Crystal Drive,

Arlington, Virginia.

Joseph P. Hirl



September 11, 2003



**Wilbert L. Starks, Jr.**  
**Primary Examiner**  
**Art Unit - 2121**